

1 **WO**

2
3
4
5
6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
8

9 In the Matter of:

No. CV-22-08221-PCT-JJT

10 Bullhead & Laughlin Jet Skis, LLC, for
11 Exoneration from or Limitation of
12 Liability.

ORDER

13 Bullhead & Laughlin Jet Skis LLC,

14 Petitioner,

15 v.

16 Michael Bohannon, *et al.*,

17 Claimants.
18

19 At issue is Plaintiff in Limitation Bullhead & Laughlin Jet Skis, LLC's
20 ("Petitioner") *Ex Parte* Motion for Order Approving Valuation, Security, Notice to
21 Claimants, and Manner of Publication, and Enjoining Proceedings (Docs. 2 (under-seal
22 version) and 7 (redacted version)).¹

23 On December 8, 2022, Petitioner filed a Complaint (Docs. 1 (under-seal version)
24 and 6 (redacted version)) in this action as owner of a 2009 Yamaha Wave Runner VX
25 personal watercraft, with the Hull Identification Number YAMA1092B909 ("the Vessel"),

26 ¹ Pursuant to the Court's December 8, 2022 Order (Doc. 5), Petitioner's originally filed
27 Complaint (Doc. 1) and *Ex Parte* Motion for Order Approving Valuation, Security, Notice
28 to Claimants, and Manner of Publication, and Enjoining Proceedings (Doc. 2) were placed
under seal because both documents referred to minor children by name. Redacted versions
of Petitioner's Complaint (Doc. 6) and motion (Doc. 7) were filed thereafter on
December 8, 2022, and December 13, 2022, respectively.

1 for exoneration from or limitation of liability, pursuant to 46 U.S.C. § 30501 *et seq.* and
2 Rule F of the Supplemental Rules for Certain Admiralty or Maritime Claims and Asset
3 Forfeiture Actions of the Federal Rules of Civil Procedure (“Rule F”), for all claims arising
4 out of a certain incident that occurred on the navigable waters of the Colorado River on or
5 about April 3, 2021, as more fully described in the Complaint.

6 The Complaint states that immediately following the subject incident, the Vessel
7 had an approximate value of Five Thousand Five Hundred and No/100 Dollars (\$5,500.00).
8 (Compl. ¶ 7.) Attached to the Complaint is the Declaration of Edward Washington who
9 affirms that the value of the Vessel is Five Thousand Five Hundred and No/100 Dollars
10 (\$5,500.00). (Doc. 6-1, Compl. Ex. A.) In its motion, Petitioner confirms that upon the
11 Court’s entry of an order setting the valuation of the Vessel at that amount, it will deposit
12 with the Court’s Registry Five Thousand Five Hundred and No/100 Dollars (\$5,500.00) as
13 security for all claims arising from the incident, in accordance with Rule F. (Doc. 7 at 2
14 ¶¶ 3–4.) Petitioner agrees to comply and provide any additional security against the
15 limitation fund that the Court may deem just and proper, in accordance with Rule F. (*Id.* at
16 2 ¶ 5.)

17 **IT IS ORDERED** granting Petitioner’s *Ex Parte* Motion for Order Approving
18 Valuation, Security, Notice to Claimants, and Manner of Publication, and Enjoining
19 Proceedings (Docs. 2 (under-seal version) and 7 (redacted version)).

20 **IT IS FURTHER ORDERED** approving the valuation of the Vessel as set forth in
21 the Declaration submitted by Petitioner as Five Thousand Five Hundred and No/100
22 Dollars (\$5,500.00), subject to demand by any claimant and request for an appraisal, and
23 also subject to Petitioner’s right to request a reduction in the amount of security.

24 **IT IS FURTHER ORDERED** directing Petitioner to deposit with the registry of
25 the Court the full valuation of Five Thousand Five Hundred and No/100 Dollars
26 (\$5,500.00) as approved by the Court and those monies are accepted by the Court as
27 security for the benefit of the claimants in this matter pending further orders of this Court.
28 The deposit must be paid within 14 days of this Order.

